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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/960,557	10/31/1997	EUGENIO A. CEFALI	32892-00023	6174

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01/10/2003

PETER J MANSO
AKERMAN, SENTERFITT & EIDSON
LAS OLAS CENTRE, SUITE 950
450 EAST LAS OLAS BOULEVARD
FORT LAUDERDALE, FL 333012227

EXAMINER

SPEAR, JAMES M

ART UNIT

PAPER NUMBER

1615

25

DATE MAILED: 01/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 1615

The Notice of Abandonment mailed October 03, 2001 is withdrawn. The notice was mailed in error. Applicants' amendments filed with certificate of mailing dates of September 21, 2001, and May 06, 2002 are timely and have been placed in the application file. However the amendments are non-compliant.

The amendments to the claims filed on September 21, 2001 and May 06, 2002 do not comply with the requirements of 37 CFR 1.121(c) because of the reasons set forth in Paper No. 16, mailed March 21, 2001 and Paper No. 20, mailed November 06, 2001.

Amendments to the claims filed after March 1, 2001 must comply with 37 CFR 1.121(c) which states:

(c) Claims.

(1) Amendment by rewriting, directions to cancel or add: Amendments to a claim must be made by rewriting such claim with all changes (e.g., additions, deletions, modifications) included. The rewriting of a claim (with the same number) will be construed as directing the cancellation of the previous version of that claim. A claim may also be canceled by an instruction.

(I) A rewritten or newly added claim must be in clean form, that is, without markings to indicate the changes that have been made. A parenthetical expression should follow the claim number indicating the status of the claim as amended or newly added (e.g., "amended," "twice amended," or "new").

(ii) If a claim is amended by rewriting such claim with the same number, the amendment must be accompanied by another version of the rewritten claim, on one or more pages separate from the amendment, marked up to show all the changes relative to the previous version of that claim. A parenthetical expression should follow the claim number indicating the status of the claim, e.g., "amended," "twice amended," etc. The parenthetical expression "amended," "twice amended," etc. should be the same for both the clean version of the claim under paragraph (c)(1)(i) of this section and the marked up version under this paragraph. The changes may be shown by brackets (for deleted matter) or underlining (for added matter), or by any equivalent marking system. A marked up version does not have to be supplied for an added claim or a canceled claim as it is sufficient to state that a particular claim has been added, or canceled.

(2) A claim canceled by amendment (deleted in its entirety) may be reinstated only by a subsequent amendment presenting the claim as a new claim with a new claim number.

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Since the reply filed on September 21, 2001 and May 06, 2002 appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH** or **THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to submit an amendment in compliance with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

It is noted that prior actions have been mailed by this office to obtain properly amended claims. In order to expedite prosecution of this application and avoid confusion in determining the status of claims in this case it is suggested that the pending claims be canceled and new claims be submitted to correct issues raised in the prior office actions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M. Spear whose telephone number is 703 308 2457. The examiner can normally be reached on Monday thru Friday from 6:30 AM to 3 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thurman Page, can be reached on (703) 308 2927. The fax phone number for the organization where this application or proceeding is assigned is 703 305 3592 or 703 308 4556.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308 1235.

James M. Spear

January 8, 2003

James M. Spear
JAMES M. SPEAR
PRIMARY EXAMINER
AU 1615